

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

BYRNE AND JONES ENTERPRISES, INC.)	No. ED101588
D/B/A BYRNE AND JONES CONSTRUCTION,)	
)	Appeal from the Circuit Court
Appellant,)	of Monroe County
)	
vs.)	Honorable Rachel Bringer Shepherd
)	
MONROE CITY R-1 SCHOOL DISTRICT,)	
)	
Respondent.)	Filed: November 12, 2014

Byrne & Jones, an unsuccessful bidder on a public-works project, sued to enjoin the school district from entering into a contract with the successful bidder. The company also sought its bid-preparation costs in connection with the project. The circuit court concluded that Byrne & Jones lacked standing as an unsuccessful bidder to challenge the award of the contract because the company had no vested or protectable interest in the award of the public-works contract. The circuit court therefore dismissed the petition. The company appeals that ruling, contending it has standing to challenge a contract that was not fairly bid.

AFFIRMED

DIVISION TWO HOLDS: Byrne & Jones lacks standing to bring its cause of action because the company cannot assert an interest under the relevant competitive-bidding statute, which is for the benefit of the public only.

Opinion by: Lawrence E. Mooney, P.J. Mary K. Hoff, J., and Philip M. Hess, J., concur.

Attorneys for Appellant: W. Dudley McCarter and Andrew J. Kriegshauser

Attorneys for Respondent: Ira M. Potter and Mark R. Sanders

<p>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</p>
